

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	3:18-CR-00097
	:	
v.	:	(Judge Mariani)
	:	
ROSS ROGGIO	:	(Electronically Filed)

MOTION TO DESIGNATE AS COMPLEX CASE

AND NOW comes the Defendant, Ross Roggio, by his attorney, Melinda C. Ghilardi, Assistant Federal Public Defender, and files the following Motion to Designate as Complex Case. In support thereof, it is averred as follows:

1. On March 20, 2018, Ross Roggio was charged in an indictment with conspiracy to commit an offense against the United States, in violation of 18 U.S.C. § 371; violations of the Arms Export Control Act, 22 U.S.C. § 2778(b) and (c); and the International Emergency Powers Act, 50 U.S.C. §§ 1702 and 1705(c); smuggling goods from the United States, in violation of 18 U.S.C. §§ 554 and 2; wire fraud, in violation of 18 U.S.C. § 1343; and money laundering, in violation of 18 U.S.C. §§ 1956(a)(2)(A) and 2.

2. On March 23, 2018, Mr. Roggio appeared before Magistrate Judge Karoline Mehalchick for an initial appearance and arraignment, and entered a plea of not guilty to the charges. The Federal Public Defender was appointed to represent Mr. Roggio.

3. Pretrial motions are due on or before October 29, 2018. A trial date has not yet been set.

4. The instant case is unusual and complex due to the nature of the prosecution. 18 U.S.C. § 3161(h)(7)(B)(ii).

5. The instant case involves an indictment that includes 37 Counts as well as a Criminal Forfeiture.

6. The defense has received two disclosures of voluminous discovery from the government. The first disclosure included 10,000 emails in addition to thousands of pages of other items. The most recent disclosure was received on August 15, 2018, and consists of several thousand additional pages on five CDs.

7. It is anticipated that there will be numerous witnesses, most of whom do not reside in the United States, to be contacted and interviewed.

8. It is anticipated that the within trial will be lengthy and complex, involving hundreds of exhibits and numerous witnesses for the government and the defense.

9. Taking into consideration the complexity of this case, the amount of discovery to be reviewed, and the amount of investigation that will be required, the length of time to prepare this case for trial is in excess of two months. Realistically speaking, it may take at least six months before the parties are prepared for trial.

10. Undersigned counsel is filing a Motion to Extend the Time to File Pretrial Motions contemporaneously with the filing of this Motion to Designate Complex Case.

11. Undersigned counsel will be on a pre-paid vacation beginning on September 22, 2018, and returning to the office on October 10, 2018.

12. Upon return to the office, counsel will be finalizing preparations for trial in the case of *United States v. Robles*, 3:17-CR-00373, scheduled to commence on October 15, 2018, before the Honorable Malachy E. Mannion. Trial is expected to last a minimum of two weeks.

13. Assistant United States Attorney Todd K. Hinkley concurs in the granting of this request.

WHEREFORE, the Defendant, Ross Roggio, respectfully requests that this Honorable Court grant his Motion to Designate as Complex Case.

Respectfully submitted,

Date: September 21, 2018

s/Melinda C. Ghilardi

Melinda C. Ghilardi
Assistant Federal Public Defender
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CERTIFICATE OF SERVICE

I, Melinda C. Ghilardi, Assistant Federal Public Defender, do hereby certify that this document, the foregoing **Motion to Designate as Complex Case**, filed electronically through the ECF system will be sent to the registered Participants as identified on the Notice of Electronic Filing, including the following:

Todd K. Hinkley, Esquire
Assistant United States Attorney

and by placing the same in the United States mail, first class, postage prepaid, at Scranton, Pennsylvania, addressed to the following:

Mr. Ross Roggio

Date: September 21, 2018

s/Melinda C. Ghilardi

Melinda C. Ghilardi
Assistant Federal Public Defender